IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

WP(C).No. 30768 of 2007(K)

PETITIONER:

K.M.GOPALAKRISHNAN, AGED 60 YRS.,
S/O.BALAKRISHNAN NAIR, KARANGHAT MUNDEKKARA,
VELLILA P.O., MANKADA, MALAPPURAM.

BY ADV. SRI.A.T.ANILKUMAR

RESPONDENTS:

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1. STATE OF KERALA, REP. BY SECRETARY
TO THE GOVERNMENT, PUBLIC WORKS DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER,
IRRIGATION ADMINISTRATION, THIRUVANANTHAPURAM.

3. THE EXECUTIVE ENGINEER,
MINOR IRRIGATION DIVISION, MALAPPURAM.

4. THE ASST. EXECUTIVE ENGINEER,
IRRIGATION KRB SUB DIVISION, VAZHAKKADU,
MALAPPURAM.

BY GOVERNMENT PLEADER MR. I.V. PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 30768 OF 2007 K
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Dated this the 5th November, 2007

J U D G M E N T

This writ petition has been filed by a toll contractor praying for a direction to respondents 2 to 4 to repair the toll bar and beam attached to toll booth in Kavankallu Regulator cum bridge within a time frame fixed by this Court. There is an alternate prayer that if the repair as prayed for is not possible, the bid amount with compensation may be directed to be returned to the petitioner.

2. On the direction of this Court, the 4th respondent has filed a statement in which it has been stated that the respondents have taken effective steps to remove the existing old cross bar and to erect a new one. It is also stated that for getting the aforesaid work executed a tender has been awarded to one Mohammed Ali, E. and in terms of the conditions of such award, the contractor is required to complete the entire work within six months from 4-9-2007 when the site has been

handed over to the contractor. According to the respondents it is only on account of heavy rains that the contractor could not commence the work.

3. In view of the effective steps that have been taken by the respondents for getting the works executed I see no necessity for issuing a further direction regarding the awarding of work. However, the work has to be completed expeditiously, particularly since the contract period of the petitioner is expiring soon as otherwise he will be loosing heavily. Therefore, the respondents, will ensure that the work awarded to the contractor is completed within two months from today.

Writ petition is disposed of as above.

ANTONY DOMINIC
JUDGE

jan/-